

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 19-55953

DORTHEA D. ARCHIE,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

This case will be dismissed, for the following reasons.

On March 19, 2019, the Debtor filed a voluntary petition for relief under Chapter 7, commencing Case No. 19-43997. On July 3, 2019, the Court entered an Order dismissing that case and barring the Debtor from filing another bankruptcy petition “unless and until the Debtor first pays in full the \$335.00 filing fee for this case” (Docket # 23 in Case No. 19-43997, the “Dismissal and Bar Order”). Despite this, on November 9, 2019, the Debtor filed another voluntary petition for relief under Chapter 7, commencing this case. Because the Debtor had not paid the overdue filing fee for Case No. 19-43997, the Debtor’s filing of this new case was in violation of the Dismissal and Bar Order.

In addition, the Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, during the 180-day period ending on the date of filing the petition by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

The Debtor did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of her petition*. Rather, according to the credit counseling certificate the Debtor filed in this case on November 9, 2019 (Docket # 5), the Debtor received the credit counseling briefing on March 19, 2019 — 235 days before her petition was filed.

For these reasons,

IT IS ORDERED that this case is dismissed.

Signed on November 12, 2019



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge